

Joshua B. Swigart, Esq. (SBN: 225557)
 josh@westcoastlitigation.com
 Tiffany G. Jensen, Esq. (SBN: 256842)
 tiffany@westcoastlitigation.com
Hyde & Swigart
 411 Camino Del Rio South, Suite 301
 San Diego, CA 92108-3551
 Telephone: (619) 233-7770
 Facsimile: (619) 297-1022

Attorneys for Plaintiff

**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF CALIFORNIA**

<p>MERCY MESIANO</p> <p>Plaintiff,</p> <p>v.</p> <p>ERICA L. BRACHFELD AND LAW OFFICES OF BRACHFELD & ASSOCIATES, PC</p> <p>Defendants.</p>	<p>Case No.: 09 CV 1046 MMA BLM</p> <p>JOINT MOTION FOR LEAVE FOR PLAINTIFF TO FILE A FIRST AMENDED COMPLAINT</p> <p>HON. MICHAEL M. ANELLO</p> <p>FILED: MAY 13, 2009 TRIAL DATE: OCTOBER 12, 2010</p>
---	---

//
 //
 //
 //
 //
 //
 //

HYDE & SWIGART
 San Diego, California

1 Plaintiff, Mercy Mesiano, and Defendants, Erica L. Brachfeld and Erica L.
2 Brachfeld, A.P.C., hereby submit this Joint Motion allowing Plaintiff leave to file
3 her First Amended Complaint.

4 The parties agree that Defendants Erica L. Brachfeld and Erica L. Brachfeld,
5 A.P.C. are not required to file amended answers in response to Plaintiff's First
6 Amended Complaint. Defendants Erica L. Brachfeld and Erica L. Brachfeld,
7 A.P.C.'s answers already on file with the court will be deemed answers to Plaintiff's
8 First Amended Complaint. If either Defendant so chooses, they may file an
9 amended answer within 10 days of Plaintiff's filing of the First Amended
10 Complaint, although an amended answer is not required.

11
12 Respectfully submitted,

13
14 Date: January 19, 2010

Hyde & Swigart

s/ Joshua B. Swigart
Joshua B. Swigart
Attorneys for the Plaintiff
Mercy Mesiano

15
16
17
18
19 Date: January 19, 2010

Carlson & Messer, LLP

s/ Michael P. Lavigne
Charles R. Messer
Michael P. Lavigne
Attorneys for the Defendants,
Erica L. Brachfeld and
Erica L. Brachfeld, A.P.C.

HYDE & SWIGART
San Diego, California